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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,303	04/25/2001	Yuya Sone	S004-4281	7106

7590 09/21/2004	EXAMINER
ADAMS & WILKS	BURGE, LONDRA C

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ART UNIT	PAPER NUMBER
2178	\

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 April 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-6</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-6</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) •

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>10/15/2001</u>. •

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: Original application filed 4/25/2001 and

IDS files 10/15/2001

2.   Claims 1-6 are pending. Claims 1, 4, 5 and 6 are independent claims.

Claim Rejections - 35 USC § 103

3.   **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all**

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Alexander U.S. Patent No. 5,953,009 filed 5/27/1997 (provided by the applicant) in view of

Beck et al. (herein after Beck) U.S. Patent No. 6,707,474 B1 filed 10/29/1999.

In regard to independent claim 1, Alexander discloses *user interface means for*

handling input from an operator and output to an operator (Alexander Col 7 Lines 23-36 i.e.

input and output devices used by the operator); *analyzer information made up of measurement*

information used at the time of measurement, analysis information used at time of analysis,

(Alexander Col 7 Lines 2-14); *analyzer information storage means for storing analyzer*

information (Alexander Col 9 Lines 29-33); *analyzer information display designation means for*

designating visually display of analyzer information to the user interface means (Alexander

Abstract i.e. display region); *analyzer information selection means enabling an operator to*

select arbitrary analyzer information from among a plurality of items of analyzer information

being displayed in the user interface means (Alexander Abstract i.e. measurement icons selected by the user)*; selection sensing means for notifying of detection of the operator selecting, or intending to select, arbitrary analyzer information using the analyzer information selection means* (Alexander Abstract i.e. identifier for selected icon).

Alexander does not specifically mention *comments corresponding to the measurement information and the analysis information; comment creation means enabling an operator to create and edit comments for the analyzer information through the user interface means; and comment display designation means, for receiving notification from the selection sensing means, extracting a comment corresponding selected item of analyzer information from the analyzer information storage means and displaying the comment on the user interface means.* However, Beck mentions and area for entering comments (Beck Col 42 Lines 23-27 and Figure 15A number 1503). It would have been obvious to one of ordinary skill in the art to apply Beck to Alexander, providing Alexander the benefit of added comments to give the user information about the process.

In regard to dependent claim 2, Alexander discloses *if notification is received from the selection display designation means comments even sensing means, due to operator setting.* (Alexander Abstract i.e. measurement icons selected by the user) (Alexander Abstract i.e. identifier for selected icon)

Alexander does not specifically mention *wherein the comment is also capable of not displaying.* However, Beck mentions and area for entering or not entering comments (Beck Col 42 Lines 23-27 and Figure 15A number 1503). It would have been obvious to one of ordinary

skill in the art to apply Beck to Alexander, providing Alexander the benefit of added comments

or not adding comments to give the user information about the process.

In regard to dependent claim 3, Alexander discloses *wherein the analyzer information*

is made up a plurality of measurement information items used at the time of measurement and a

plurality of analysis information items used at the time of analysis and measurements (Alexander

Col 7 Lines 2-14).

Alexander does not specifically mention *a plurality comments according to the analysis*

information items, and also contains association information for maintaining a correspondence

relationship between the measurement information and the analysis information, and the

comments. However, Beck mentions and area for entering comments (Beck Col 42 Lines 23-27

and Figure 15A number 1503). It would have been obvious to one of ordinary skill in the art to

apply Beck to Alexander, providing Alexander the benefit of added comments to give the user

information about the process.

In regard to dependent claim 4, Alexander discloses *user interface means for handling*

input and output for an operator (Alexander Col 7 Lines 23-36 i.e. input and output devices used

by the operator); *analyzer information made up of measurement information used at the time of*

measurement, analysis information used at the time of analysis, (Alexander Col 7 Lines 2-14);

analyzer information storage means for storing analyzer information (Alexander Col 9 Lines 29-

33); *icon display means for displaying analyzer information visually as an icon for the user*

interface means (Alexander Abstract i.e. measurement icon); *a cursor that can be operated by an*

operator through the interface means; sensing and notifying when an operator operates the

cursor and positions the cursor over an arbitrary icon and receiving notification from the cursor

sensing means for sensing means (Alexander Col 4 Lines 1-12).

Alexander does not specifically mention *and comments corresponding to the*

measurement information and the analysis information; comment creation means enabling an

operator to create and edit comments for the analyzer information; comment storage means for

storing created comments; and comment display means, for, extracting content of a comment

corresponding to an icon over which the cursor is positioned from the comment storage means

and displaying the comment on the user interface means. However, Beck mentions and area for

entering comments (Beck Col 42 Lines 23-27 and Figure 15A number 1503). It would have been

obvious to one of ordinary skill in the art to apply Beck to Alexander, providing Alexander the

benefit of added comments to give the user information about the process.

In regard to dependent claim 5, Alexander discloses *user interface for handling input*

from an operator and output to an operator (Alexander Col 7 Lines 23-36 i.e. input and output

devices used by the operator); *analyzer information made up of measurement information used*

at the time of measurement, analysis information used at the time of analysis (Alexander Col 7

Lines 2-14); *analyzer information storage for storing analyzer information* (Alexander Col 9

Lines 29-33); *analyzer information display designation for designating visually display user*

interface (Alexander Abstract i.e. display region); *analyzer information selection enabling an*

operator to select arbitrary analyzer information from among a plurality of items of analyzer

information being displayed in the user interface (Alexander Abstract i.e. measurement icons

selected by the user); *selection sensing for notifying of detection of the operator selecting,*

intending to select, arbitrary analyzer information using the analyzer information selection (Alexander Abstract i.e. identifier for selected icon).

Alexander does not specifically mention *comments corresponding to the measurement information and the analysis information; comment creation enabling an operator to create and edit comments for the analyzer information through the user interface; and comment display designation, for receiving notification from the selection sensing, extracting comment corresponding to a selected item of analyzer information from the analyzer information storage and displaying the comment on the user interface.* However, Beck mentions and area for entering comments (Beck Col 42 Lines 23-27 and Figure 15A number 1503). It would have been obvious to one of ordinary skill in the art to apply Beck to Alexander, providing Alexander the benefit of added comments to give the user information about the process.

In regard to dependent claim 6, Alexander discloses *user interface for handling input and output for an operator* (Alexander Col 7 Lines 23-36 i.e. input and output devices used by the operator); *analyzer information made up of measurement information used at the time of measurement, analysis information used at the time analysis; analyzer information storage for storing analyzer information* (Alexander Col 7 Lines 2-14); *icon display for displaying analyzer visually as an icon for the user interface* (Alexander Abstract i.e. measurement icon); *cursor sensing for sensing and notifying when an operator operates the cursor and positions the cursor over an arbitrary icon* (Alexander Col 4 Lines 1-12).

Alexander does not specifically mention *comments corresponding the measurement information and the analysis information; information comment creation enabling an operator to create and edit comments for the analyzer information; comment storage for storing created*

comments; a cursor that can be operated by an operator through the user interface; and comment display, for receiving notification from the cursor sensing, extracting content of a comment corresponding to an icon over which the cursor is positioned from the comment storage and displaying the comment on the user interface. However, Beck mentions and area for entering comments (Beck Col 42 Lines 23-27 and Figure 15A number 1503). It would have been obvious to one of ordinary skill in the art to apply Beck to Alexander, providing Alexander the benefit of added comments to give the user information about the process.

Conclusion

5.   **The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.**

| Miller et al. | U.S. Patent No. 6,791,545 B2 | issued | 9/14/2004 |
| Sajdak et al. | U.S. Patent No. 6,570,592 B1 | issued | 5/27/2003 |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Londra C Burge whose telephone number is (571) 272-4122. The examiner can normally be reached on 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:
(703) 746-7239 (for formal communications intended for entry)

Or:
(703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Or:
(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

Londra C Burge
9/14/2004

STEPHEN S. HONG
PRIMARY EXAMINER